

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

UNITED STATES OF AMERICA,

ORDER

Plaintiff,

08-cv-219-bbc

04-cr-162-jcs

v.

MONCLAIR HENDERSON-EL,

Defendant.

Defendant Monclair Henderson-El moved in February 2008 for a reduction in his sentence under the changes in the crack cocaine guidelines. When defendant was sentenced originally by Judge Shabaz, his offense level was 35 and his criminal history category was III, making his sentencing guideline range 210-262 months. Judge Shabaz sentenced him to a term of 210 months, at the bottom of the guideline range.

It is my intention to grant defendant's motion for a reduction in his sentence and to sentence him at the bottom of the guideline range as Judge Shabaz did initially. With his reduced offense level of 33 and a criminal history category of III, his new guideline range would be 168-210 months. I would set his new sentence at 168 months.

If the government disagrees with this decision, it should advise the court in writing no later than June 11, 2009.

Entered this 3d day of June, 2009.

BY THE COURT:

/s/
BARBARA B. CRABB
District Judge